

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Robert G. Taub, Vice Chairman;
Mark Acton;
Tony Hammond; and
Nanci E. Langley

Complaint of GameFly, Inc.

Docket No. C2009-1R

Competitive Product List
Adding Round-Trip Mailer

Docket No. MC2013-57

Competitive Product Prices
Round-Trip Mailer (MC2013-57)

Docket No. CP2013-75

ORDER GRANTING REQUESTS FOR ACCESS

(Issued August 8, 2013)

On August 6, 2013, GameFly, Inc. (GameFly) filed a motion pursuant to 39 C.F.R. § 3007.40 for access to the nonpublic library reference USPS-MC2013-57/NP1 filed by the Postal Service on August 5, 2013.¹ Signed copies of Appendix A of 39 C.F.R. part 3007 are included with the GameFly Motion. On August 8, 2013, Netflix, Inc. (Netflix) also filed a motion pursuant to 39 C.F.R. § 3007.40

¹ Motion of GameFly, Inc., for Access to Nonpublic Library Reference USPS-MC2013-57/NP1, August 6, 2013 (GameFly Motion). See also Response to Order No. 1794 and Notice of Filing of Nonpublic Library Reference USPS-MC2013-57/NP1, August 5, 2013.

for access to the nonpublic library reference USPS-MC2013-57/NP1.² The Netflix Motion is accompanied by signed copies of Appendix A of 39 C.F.R. part 3007.

Both GameFly and Netflix acknowledge willingness to comply with protective conditions and identify the individuals to be granted access. *Id.*; GameFly Motion at 2. GameFly states that five of the six individuals it identifies have previously been granted access to non-public material in Docket No. C2009-1. GameFly Motion at 2. Netflix states that two of the three individuals it identifies have previously been granted access to non-public information in cases before the Commission. Netflix Motion at 2. Both Motions assert that access to the library reference is necessary for preparing comments concerning the Postal Service's request to establish Round-Trip Mailer as a competitive product. Netflix Motion at 1; GameFly Motion at 1.

GameFly states that the Postal Service consents to its Motion. GameFly Motion at 2. Netflix states that it does not oppose the GameFly Motion and that both the Postal Service and GameFly consent to the Netflix Motion. Netflix Motion at 2.³

Accordingly, GameFly and Netflix are granted access to Library Reference USPS MC2013-57/NP1, effective upon the issuance of this Order.

² Motion of Netflix, Inc. for Access to Nonpublic Library Reference USPS-MC2013-57/NP1, August 8, 2013 (Netflix Motion).

³ See *also* Supplement to August 6 Motion of GameFly, Inc. for Access to Nonpublic Library Reference USPS-MC2013-57/NP1, August 8, 2013.

It is ordered:

The Motion of GameFly, Inc., for Access to Nonpublic Library Reference USPS-MC2013-57/NP1 and the Motion of Netflix, Inc. for Access to Nonpublic Library Reference USPS-MC2013-57/NP1 are granted, effective upon the issuance of this Order.

By the Commission.

Shoshana M. Grove
Secretary